

THE PALATKA NEWS

and Advertiser.

NEW SERIES VOL. XXIII. NO. 29.

PALATKA, FLORIDA, FRIDAY, JULY 16, 1915.

\$1.00 Per Year.

CURRY'S SHOE STORE

IN THE MERRYDAY BLOCK.

TELEPHONE NO. 267

You Are Reading This Ad

Of Course You Are--They All Do, But Why?

Because you know that when we have a message for you, it is a **Message Of Value.**

Because you know that when we offer you goods, they are **Goods Of Value.**

Because you know that in this store you may exchange your dollars for the **Greatest Of Values.**

This is a store of values, more Values, Greater Values **And Then Some.**

This month—as always—we are handing you many exceptional values, every one of which means a Substantial Saving to you. Here are a few of them:

The J. and K. Pumps for Ladies, Comfortable easy, fits the arch, looks good, wears good, price..... \$3.50 and \$4.00

Howard and Foster for men, Tan, Patent and Gun Metal, rubber sole and leather sole... \$5.00

Men Silk and Silk-Madras Shirts 98c to..... \$3.00

Men Sport Shirts white, white and black stripes, price..... \$1.00

A big line of extra fine Tub Ties, 25c and.... 50c

Palm Beach..... 50c

The Hopkins Straw Hats..... \$2.00

WILLIAM M. CURRY

Wednesday and Thursday, July 21st and 22nd **STRAUSS BROS. TAILOR**

The Putnam National Bank of Palatka

PALATKA, FLORIDA

Total Assets, June 10th..... \$700,000.00
Liabilities to Depositors..... 495,000.00
Assets over Liabilities to Depositors..... 205,000.00

According to the New York Financial Review we are the second strongest National Bank in Florida.
Our Safe Deposit Boxes, double lock system, are the best make. \$3.00 per year.
We solicit your banking business.

GEO. E. WELCH, President
F. H. WILSON, Vice-President

A. S. WILLARD, Cashier
CHAS. BURT, Asst. Cashier



More and more every day Ford cars become the necessity for everybody—a utility in city and country. Their great usefulness is part of the life of all the people, through giving universal economy.

Retail buyers of new Ford cars from August 1914 to August 1915 will share in profits if 300,000 are sold in that time. Ask us for particulars. Keep in mind the simplicity in operation and economy in upkeep—less than two cents a mile.

Runabout \$440; Touring Car \$490; Town Car \$690; Coupelet \$750; Sedan \$975; fully equipped, f. o. b. Detroit.

On display and sale at THE FORD SALES COMPANY, Palatka, Walter W. Tilghman, Manager.

ONE ADVERTISEMENT IN A NEWSPAPER WILL NOT BUILD UP YOUR BUSINESS. IT WILL TAKE A DOZEN MORE—AND THEN SOME. ONE MUST KEEP EVERLASTINGLY AT ADVERTISING TO MAKE A SHOWING THEN IT WILL PAY SPLENDID DIVIDENDS.

SUPREME COURT HOLDS CIRCUIT COURT ACT

Unconstitutional—Hon. S. J. Hilburn is Therefore Ousted.

Two Justices Hand Down a Dissenting Opinion Regarding Part of Act Relating to this Circuit.

The opinion of the supreme court in the quo warranto proceedings to oust J. Turner Butler and S. J. Hilburn from their appointments as judges of the Twelfth and Fourth judicial circuits was filed at a late hour last Friday. The opinion for the court was prepared by Judge Whitfield and concurred in by Judges Taylor and Shackelford. Judge Ellis is joined in a dissenting opinion by Judge Cockrell.

Opinion of the Court.

The opinion of the court in part is as follows: "It is contended that this statute is invalid because the bill having been vetoed by the governor, one house of the legislature voted to sustain the veto and then waived its rules by a two-thirds vote and reconsidered the vote sustaining the veto. After which under the waiver of the rules of the house by a two-thirds vote, the bill was passed by the requisite vote, notwithstanding the governor's objections thereto.

"The argument is that as the first vote sustained the veto, there was no power, in the body to reconsider such vote and to pass the bill over the governor's veto. No provision of the constitution appears to have been violated in reconsidering the vote by which the governor's veto was sustained and in subsequently passing the bill over the governor's veto by the requisite two-thirds vote under the circumstances alleged in this case.

Primary Question Presented. "The primary question presented is whether under the constitution the legislature has the power to provide for more than one circuit judge to be appointed for one judicial circuit of the state.

"The constitution was intended to be exact in its limitations of power, not to be changed except in such particular and deliberate way as to render as certain as practicable that the electors desired, evidenced by an expression of judgment after ample time and facility for investigation and maturity of thought on the subject. In so far as the quoted statute provides for two circuit judges for one judicial circuit, it is in direct conflict with the still potential provision and limitation of section 8 of article V, that one judge shall be assigned to each circuit, consequently such provision of the statute is in operative, and the appointment of the respondent as circuit judge for a circuit in which there is already one circuit judge is without authority of law under the constitution of this state. Let a judgement of ouster be entered."

Opinion is Lengthy. The opinion of the court is quite lengthy, containing twenty-one legal typewritten pages. The dissenting opinion of Justice Ellis is even longer, containing thirty-four pages.

The dissenting opinion in part says: "If it is true that section 8 of article V mandatorily requires one judge to each circuit, and the legislature has the power to create additional judicial circuits, then the creation of an additional judicial circuit by implication creates a circuit court thereof and if no judge is provided for such court the governor by implication has the power to appoint a circuit judge and assign him to the circuit which is without one. This proposition is conceded by the relator's counsel."

Naturally there has been some apprehension on the part of litigants and their friends lest orders signed by Judge Hilburn, or matters brought before him in chambers during his brief administration of the affairs of the now obliterated district, should also be voided and require their renewed argument before the circuit court of the Fourth or Eighth circuits. When seen concerning this matter, Judge Hilburn said:

"All orders made by me as Judge will hold good against all collateral attacks. There was an office de jure, and I was a de facto judge. The rule of law without exception is that the acts of de facto officials shall not be attacked in a collateral way where there is an office de jure. This is a wise provision of the law to protect the people in just such cases as this."

Back to his Law Practice.

To Whom It May Concern:

The supreme court has just decided that the act creating the Twelfth and new Fourth circuits, is unconstitutional. The court was divided on this question, three holding the act unconstitutional and two holding it constitutional. The majority prevails in such cases. The judges for those circuits and the state attorney for the new Fourth are ousted. I am, therefore, no longer judge. I shall return to the practice of law at the same offices heretofore occupied by me and the partnership of Hilburn & Merryday will be continued.

I thank my many friends who stood so loyally by me, for their support and good will. S. J. HILBURN. Palatka, July 16, 1915.

made Big Industry. In the Philippines the government is making great efforts to improve the quality of tobacco grown there.

C. J. O'HAVER DIED ON SUNDAY MORNING

Ill-Health Caused His Retirement from Business Last Year.

Chas. J. O'Haver, for the past 18 years a prominent citizen of Putnam county, died at his home in this city at an early hour last Sunday morning, suddenly, of heart failure. He was sitting in a chair conversing with his wife and son, when without warning, his head fell forward and he was gone. There was no struggle for breath or other evidence of pain in passing. The end came peacefully, quickly, while conversing with loved ones.

Mr. O'Haver gave up business because of failing health a year or more ago, and once or twice since he has been considered in a critical condition. But a few weeks ago he showed signs of rallying which continued, and for the past few weeks his family were encouraged in the belief that he would be spared for some time.

The funeral service was from the family home on Tuesday morning and was conducted by his pastor, Rev. W. M. Poage, of the Methodist church, assisted by Rev. P. Q. Canon of the First Baptist church. The Masonic fraternity attended and the interment in West View cemetery was with full Masonic honors.

The pall bearers were C. E. Rowton, Dr. J. W. Darsey, H. H. Cooper, S. S. Browning, R. J. Rancock and W. G. Tilghman.

Mr. O'Haver was born in Pleasantville, Indiana, July 18th, 1854, and lacked but a few days of being 61 years of age at the time of his death. He came to Florida in 1897 and settled at Keuka, in the western part of this county where up to four years ago he continued in merchandising and in orange grove culture with a large degree of success. Since coming to this city in 1911 he has been engaged mostly in real estate and up to a little more than a year ago was a member of the firm of O'Haver & Knight. His retirement was occasioned by the encroachments of ill-health.

Mr. O'Haver was a most delightful gentleman; clean of manner and conversation and whose geniality was contagious. He was fond of Palatka and while he lived contributed his full part in efforts to promote its prosperity. He was everywhere regarded as a man of sound judgment and business acumen, together with a high sense of honor. He was a member of the Methodist Episcopal church and the Masonic fraternity.

Besides his wife he is survived by one son, Prof. P. C. O'Haver of this city, and three daughters, Mrs. M. P. Smith of Savannah, Ga., Mrs. C. H. Price and Miss Jonita O'Haver of Palatka. He had seven brothers and sisters: Dr. John O'Haver of Danville, Ill., Frank O'Haver of Lyons, Ind., Thos. O'Haver of Pleasantville, Ind., Robert S. O'Haver of Palatka, Mrs. Louise Clark of Pleasantville, Ind., Mrs. Mattie Flemming of Marco, Ind., and Mrs. Grace Ogg of Valdosta, Ga.

PALATKA KNIGHTS VISIT PARLOR CITY

On Wednesday Night and Assist in Conferring Ranks.

Thirty-seven members of St. Johns Lodge, K. of P., of this city went to Green Cove Springs on Wednesday to attend a meeting of Parlor City Lodge and assist in conferring the ranks of esquire and knight on certain candidates. The Palatka Knights went by train, by auto and by Noah Tilghman's launch, the Etawah, by far the larger number going on the launch. There was reason for this. It is a boat of fine accommodations, and not the least of its attractions on this occasion was the fine chicken supper served en route by the host.

At Green Cove Springs the Palatka Knights ran upon a large number of visiting Knights from Jacksonville, who came from that city for a similar purpose.

The Palatka delegation was headed by R. E. Neck, chancellor commander; Dr. A. M. Hedick, vice chancellor; W. E. Wattles, prelate; W. C. Davis, master at arms, and F. D. Wattles, past chancellor commander and K. of R. and S.

An even larger delegation was present from S. S. Davis lodge of Jacksonville, together with many Knights whose names are familiar to the people of this city.

The Palatka official Knights conferred the 2d rank and the 3d rank from Jacksonville. At the conclusion of the ceremonies a delightful social time was enjoyed. The Green Cove Pythians made splendid arrangements and the reception given the visitors was magnificent in every particular.

Extra fine new cane syrup
in new Cypress barrels.
15 cts Qt.
L. C. STEPHENS,
628 Kirby Street.

TELEPHONE EXCHANGE GAVE BIG RECEPTION

Wednesday Afternoon and Evening to Celebrate New System.

Manager F. L. Thorpe of the Palatka office of the Southern Bell Telephone & Telegraph Co., assisted by Mrs. Thorpe and officials of the company from Savannah and Jacksonville, were hosts at a reception given on Wednesday afternoon and evening of this week at the local exchange to mark the opening of the common battery system in Palatka.

Among the officials present were David Laird, general manager of Savannah, R. L. Boyd, division manager, and C. N. Robinson, division traffic chief, J. C. Coppidge, Dist. Plant chief of Jacksonville.

During the past several months the Palatka exchange has made many and expensive improvements in its plant; it has installed the common battery system which in itself meant the expenditure of a great sum of money, and which completed and in use gives to Palatka phone users all that is enjoyed by the users in the latest cities of the country.

Formerly the company occupied the ground floor offices of its present location on Second street only; the change made necessary an enlargement, so that now the company has the upper floor of the building also. The operators are now upstairs and they have besides a large and well-ventilated work room, an equally large rest room and bath room, all fitted up in modern style and with every comfort.

During the hours of the reception from 4 to 6 p. m., and from 8 to 10 p. m., except for the rain, there was a constant stream of visitors to the Exchange.

Mr. and Mrs. Thorpe were assisted in the commercial office in the receiving by Hon. and Mrs. W. F. Merriam, Mr. David Laird, the general manager of Savannah, and R. L. Boyd, division manager of Jacksonville.

The decorations were beautiful and consisted largely of roses, carnations and ferns.

After an inspection of the lower floor the visitors were taken up stairs. Mrs. S. J. Hilburn and Mrs. W. L. Mann received at the head of the stairs, and Chief Thompson of Jacksonville explained the workings of the

PULLMAN CO. PAYS STATE BACK TAXES

Attorney General West Wins a Hotly Contested Case.

The State of Florida has this week received payment for back taxes on gross receipts of the Pullman Company, after one of the longest fought legal contests in the recent history of the legal department of the State. The Pullman Company resisted the tax which was imposed by legislative act upon express and insurance companies, as well as the Pullman Company, carrying same to the Supreme Court of the State and on to the Supreme Court of the United States.

The case was won by the State in every court before which it was carried, and the payment of the tax closes one of the hardest cases which Attorney General West has had to face during his term of office. The three businesses pay into the State coffers about \$150,000 yearly as a result of this tax.

In the litigation growing out of the passage of the tax measure, the State was represented by Attorney General West and by Hon. John E. Hartridge, of Jacksonville. The interests of the Pullman Company were looked after by Frank B. Kellogg, of St. Paul, and Gustavus S. Fernald, of Chicago.

system to visitors. In the pretty rest room punch and cake were served by Mrs. C. E. O'Connor and the Misses Grizella Merrill and Irene Gardner.

During the afternoon hours the orchestra of the Palatka Military band rendered sweet music from the street balcony, and at night the band proper was stationed in the street in front of the Exchange.

The company has spent several thousands of dollars to place the Palatka office in first-class shape, and Manager and Mrs. Thorpe are very proud of their plant. It was that the public might in a measure share in this pride and that it might the better understand the workings of the "hello system," that this reception was given. If it has not accomplished its object it certainly is not the fault of Mr. and Mrs. Thorpe, and their young lady assistants, who spared themselves no trouble to make the workings clear.

JUST ARRIVED

Exclusive **BARKER** Creations



"THINNER
THICKNESS

KOMFORTABLE
KOLLARS

See the two new ones
THE PLIABLE
and the
SILK SHIRT

Big sellers, snappy with the style and unequalled for Comfort—They appeal to the young men and old men both.

2 for 25c

We carry 20 exclusive styles in stock.

\$1.50 by the box

FEARNSIDE CLOTHING CO.
THE BIG STORE ON THE CORNER

"Outfitters to His Majesty, the American Gentleman"